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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/285,934	04/02/1999	RANDY UBILOS	004860.P2292	4312

7590 02/27/2002

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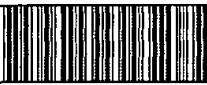
[REDACTED] EXAMINER

NGUYEN, CAO H

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 02/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/285,934	Applicant(s) Ubilos
	Examiner Cao "Kevin" Nguyen	Art Unit 2173
		
<i>-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --</i>		
<b>Period for Reply</b>		
<p>A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.</p>		
<ul style="list-style-type: none"> <li>- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.</li> <li>- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.</li> <li>- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.</li> <li>- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).</li> <li>- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).</li> </ul>		
<b>Status</b>		
<p>1) <input checked="" type="checkbox"/> Responsive to communication(s) filed on <u>Apr 2, 1999</u></p>		
<p>2a) <input type="checkbox"/> This action is FINAL.      2b) <input checked="" type="checkbox"/> This action is non-final.</p>		
<p>3) <input type="checkbox"/> Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> 1035 C.D. 11; 453 O.G. 213.</p>		
<b>Disposition of Claims</b>		
<p>4) <input checked="" type="checkbox"/> Claim(s) <u>1-39</u> is/are pending in the application.</p>		
<p>4a) Of the above, claim(s) _____ is/are withdrawn from consideration.</p>		
<p>5) <input type="checkbox"/> Claim(s) _____ is/are allowed.</p>		
<p>6) <input checked="" type="checkbox"/> Claim(s) <u>1-39</u> is/are rejected.</p>		
<p>7) <input type="checkbox"/> Claim(s) _____ is/are objected to.</p>		
<p>8) <input type="checkbox"/> Claims _____ are subject to restriction and/or election requirement.</p>		
<b>Application Papers</b>		
<p>9) <input type="checkbox"/> The specification is objected to by the Examiner.</p>		
<p>10) <input type="checkbox"/> The drawing(s) filed on _____ is/are objected to by the Examiner.</p>		
<p>11) <input type="checkbox"/> The proposed drawing correction filed on _____ is: a) <input type="checkbox"/> approved b) <input type="checkbox"/> disapproved.</p>		
<p>12) <input type="checkbox"/> The oath or declaration is objected to by the Examiner.</p>		
<b>Priority under 35 U.S.C. § 119</b>		
<p>13) <input type="checkbox"/> Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).</p>		
<p>a) <input type="checkbox"/> All b) <input type="checkbox"/> Some* c) <input type="checkbox"/> None of:</p>		
<p>1. <input type="checkbox"/> Certified copies of the priority documents have been received.</p>		
<p>2. <input type="checkbox"/> Certified copies of the priority documents have been received in Application No. _____.</p>		
<p>3. <input type="checkbox"/> Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</p>		
<p>*See the attached detailed Office action for a list of the certified copies not received.</p>		
<p>14) <input type="checkbox"/> Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).</p>		
<b>Attachment(s)</b>		
<p>15) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p>		
<p>16) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p>		
<p>17) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____</p>		
<p>18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____</p>		
<p>19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p>		
<p>20) <input type="checkbox"/> Other: _____</p>		

Art Unit: 2173

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless —

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 of this title before the invention thereof by the applicant for patent.

2. Claims 1-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Komiyama (US Patent No. 6,011,553).

Regarding claim 1, Komiyama discloses displaying an edited time based stream of information of a source media (see Abstract); and transferring said edited time based stream to a sequential storage device using an icon, wherein said icon represents a function to be performed on said sequential storage device (see col. 3, lines 4-47 and figures 1-3).

Regarding claim 2, Komiyama discloses editing between said source media and a destination media using a three point edit (see col. 4, lines 48-67).

Regarding claim 3, Komiyama discloses wherein transferring said edited time based stream comprises transferring said edited time based stream to a portion of a window, said window having at least one icon; said icon performing a function on said sequential device by default (see col. 5, lines 7-61).

Art Unit: 2173

Regarding claim 4, Komiyama discloses wherein transferring said edited time based stream comprises transferring said edited time based stream to said icon, said icon performing said function on said sequential device (see col. 6, lines 24-65).

Regarding claim 5, Komiyama discloses wherein transferring said edited time based stream comprises clicking said icon with a cursor control device, said icon performing said function on said sequential device (see figures 5-9).

Regarding claim 6, Komiyama discloses wherein said function is one of an insert edit, an assembly edit and a preview edit (see col. 7, lines 34-64).

Regarding claim 7, Komiyama discloses black and coding a tape contained in said sequential device (see col. 4, lines 48-67).

Regarding claims 8 and 9, Komiyama discloses using a timecode indicator to position a playhead of said sequential storage device; and using one of a mark in icon and a mark out icon to position a playhead of said sequential storage device (see col. 8, lines 7-51).

As per claims 10-23 are apparatus claims that corresponds to a method claims 1-9, and thus are rejected for the aforementioned reason.

Regarding claim 24, Komiyama discloses computing device including a first circuitry configured to transfer said edited time based stream to said sequential storage device using said icon (see col. 6, lines 24-54).

Regarding claim 25, Komiyama discloses a second circuitry configured to perform a three point editing between said source media and a destination media (see col. 6-7, lines 1-67).

Art Unit: 2173

Claims 26-30, Komiyama discloses a second circuitry configured to perform a three point editing between said source media and a destination media; a third circuitry configured to insert edit said edited time based stream to said sequential storage device using said icon; a fourth circuitry configured to assembly edit said edited time based stream to said sequential storage device using said icon; a fifth circuitry configured to preview edit said edited time based stream using said icon (see col. 8, lines 7-53).

As per claims 31-39 are method claims that corresponds to apparatus claims 1-9, and thus are rejected for the aforementioned reason.

*Conclusion*

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (PTO-892).

*Response*

4. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 308-9051 may be used for formal communications or (703) 305-9724 for informal or draft communications.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Art Unit: 2173

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA. Sixth Floor (Receptionist).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (703) 305-3972. The examiner can normally be reached on Monday-Friday from 8:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca, can be reached on (703) 308-3116. The fax number for this group is (703) 308-6606.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

  
Cao (Kevin) Nguyen

*Primary Examiner (AU 2173)*  
*February 21, 2002*